

1 NEVADA STATE BOARD OF DENTAL EXAMINERS
2 6010 S. Rainbow Boulevard, Suite A1
3 Las Vegas, NV 89118
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6 Video Conferencing was available for this meeting at the Nevada State Board of Dental Examiners office and at the
7 Nevada State Board of Medical Examiners office - Conference Room located at:
8 1105 Terminal Way, Suite #301; Reno, NV 89502
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10 PUBLIC MEETING

11 Friday, January 20, 2017
12 9:01 a.m.
13

14 Minutes

15 Employment Committee Meeting

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19 *Please Note:* The Nevada State Board of Dental Examiners may hold board meetings via video conference or telephone
20 conference call. The public is welcomed to attend the meeting at the Board office located at 6010 S. Rainbow Blvd, Suite A1;
21 Las Vegas, Nevada 89118; or in the Conference room of the Nevada State Board of Medical Examiners office located at 1105
22 Terminal Way, Suite #301; Reno, NV 89502 (when applicable).
23

24 The Nevada State Board of Dental Examiners may 1) address agenda items out of sequence to accommodate persons appearing
25 before the Board or to aid the efficiency or effectiveness of the meeting; 2) combine items for consideration by the public body;
26 3) pull or remove items from the agenda at any time. The Board may convene in closed session to consider the character,
27 alleged misconduct, professional competence or physical or mental health of a person. See NRS 241.030. Prior to the
28 commencement and conclusion of a contested case or a quasi judicial proceeding that may affect the due process rights of an
29 individual the board may refuse to consider public comment. See NRS 233B.126.
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31 Public Comment time is available after roll call (beginning of meeting) and prior to adjournment (end of meeting). Public
32 Comment is limited to three (3) minutes for each individual. You may provide the Board with written comment to be added to
33 the record.
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35 *Asterisks (*) denote items on which the Board may take action.*
36 *Action by the Board on an item may be to approve, deny, amend, or table.*
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39 I. Call to Order, roll call, and establish quorum
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41 Dr. Pisani called the meeting to order and Mrs. Shaffer-Kugel conducted the following roll call:
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43 Dr. Gregory Pisani ("Dr. Pisani") ----- PRESENT
44 Dr. Byron Blasco ("Dr. Blasco") ----- PRESENT
45 Ms. Stephanie Tyler ("Ms. Tyler") ----- PRESENT
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47 Others Present: Debra Shaffer-Kugel, Executive Director; Brett Kandt, Deputy Attorney General/Board Legal Co-
48 Counsel.
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50 Public Attendees: Rick Dragon, DDS/NDA; Marke Funke, NDA; Paul Cardinale, Legal Counsel; Kevin Smith, Self;
51 Matthew Forstadt, Self; Melanie Chapman, Self; Adrian Ruiz, LVDA; Erin Negrete, LVDA; Thomas Adams, for
52 Michael Schneider; Tina Tsou, LVDA Secretary; Christian Pham, LVDA; Jacob Hafter, Self; Boone Cragun, Self;
53 Andy Moore, Self; Gidget Nazaleno, Self; Kenneth Hill, Self; Christine Navarro, LVDA; Stephen Sill; Erika Smith
54 (did not sign-in); Cameraman with LVDA (did not sign-in), others present that did not sign-in.
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56 2. Public Comment: (Public Comment is limited to three (3) minutes for each individual)
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58 Mr. Thomas Adams read a letter on behalf of Michael Schneider (was posted for the record).
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60 Dr. Christian Pham asked to forfeit his time to allow for Mr. Adams to finish reading the letter on behalf of Mr.
61 Schneider.

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Erin Negrete read a statement into the record, which a copy was not provided for public posting. She read alleged violations of the Open Meeting Law regarding the posting of public documents for public viewing.

Dr. Kenneth Hill read a letter on behalf of Victoria Semen (was posted for the record).

Dr. Michael Cook read a statement on behalf of Lyn Stewart (was posted for the record).

Dr. Pisani gave a brief history of the attorneys that have worked for the Board. He noted that prior to John Hunt, the Board's attorney was \$110, and noted further that over ten (10) years later, Mr. Hunt is billed at \$210 an hour. He stated that the difference was not significant. Dr. Pisani additionally noted that the Boards' current contract with outside counsel has been within the statutes and regulations. He stated that the hourly rate for in-house counsel will be determined.

Mr. Jacob Hafter, applicant for the in-house counsel position, gave a statement in favor of his application. He noted that there could be a conflict of interest for this position by being limited to in-house counsel only. He suggested that the position be granted to him with a monthly stipend while still serving with the benefits of his office and legal assistant. He clearly stated that he could not come in house full-time as he would wish to continue with current clients. Ms. Tyler commented to Mr. Hafter if would put in writing his conflicts to the Board. Mr. Hafter stated that he would oblige with Ms. Tyler's request. Mr. Hafter went on to speak negative comments of the Board's current legal counsel Mr. Hunt. Mr. Hafter's comments were interrupted by unprofessional cheering and clapping, and comments made by Dr. Erika Smith and Dr. Adrian Ruiz. Mr. Hafter was able to finish his comments once Drs. Smith and Ruiz were silenced.

Mr. John Kelleher gave a statement in favor of his application the in-house legal counsel position. He gave a brief biography of his work history. He stated that he believed he was uniquely qualified to fulfill the positions needs. Ms. Tyler thanked him for his comments and stated that she was impressed with his work and asked that he elaborate on his current work. Dr. Blasco asked that Mr. Kelleher submit in writing any possible conflicts he may have if chosen to fill the position, Mr. Kelleher stated he would.

Mr. Matthew Forstadt gave a brief history and stated that in reading the audit by the legislature, he did not believe that there were any violations in requiring that licensees make charitable contributions in lieu of offering pro-bono services. He added that he comes without conflict, other than the public comments in the minutes regarding the alleged violations by the board and its current legal counsel.

Mr. Andy Moore stated that his qualifications were provided in detail on his resume. Ms. Tyler asked that he elaborate on his work with the gaming board. Mr. Moore gave a brief history of the proceedings and how they were similar to the needs and processes of the board.

Ms. Melanie Bernstein Chapman expanded upon the information that was submitted in her current work history as listed on her resume. Dr. Pisani asked if she would submit any possible conflicts she may have if offered the position. She stated that she would. She went over her work history.

Mr. Kevin Smith stated that he did not have a lot of administrative law experience, and that he realized that this position was essentially a fresh start as it is a new position and, further, that he believed that he could bring a fresh start to the board. He briefly spoke of his experience and that he believed that he was qualified to fill the position; he added that he may be able to do so without the need of additional help.

Mr. Boone Cragun stated that he was currently an in-house counsel with an insurance company. Mr. Cragun went on to make bold assertions regarding the Board's current legal counsel, which was then interrupted by cheering and by Dr. Ruiz, Dr. Smith, and other members of the public. Mr. Cragun inquired if any of the committee members had consulted with Mr. Hunt regarding other applicants, to which Dr. Pisani affirmed that they had not. Ms. Tyler inquired of the proceedings that Mr. Cragun may have participated in pursuant to administrative law. Mr. Cragun noted that he did not have experience in administrative law, but rather in civil insurance defense.

Dr. Pisani explained that as a committee, and this being their first meeting, they wanted to arrange personal meetings with certain applicants. He stated that each committee member list their top 3-4 choices to invite for interviews. The names of the applicants selected will be presented to the Board at the proceeding Board meeting for consideration and approval to move forward with interviews at a later date.

Note: No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

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*3. Review, Discuss and make Recommendations to the Board regarding the following applications/resumes to be considered for possible employment for the unclassified general counsel(s) position-NRS 631.190 (For Possible Action)
(Pursuant to NRS 241.030, the board may, by motion, enter into closed session to consider the character, alleged misconduct, professional competence, or physical or mental health of a person.)

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|---------------------------------------|-------------------------------|
| 1. Melanie Bernstein Chapman, Esquire | 13. Gary J Mathews, Esquire |
| 2. Radha Chanderraj, Esquire | 14. Michael McKellab, Esquire |
| 3. Boone L. Cragun, Esquire | 15. Andy Moore, Esquire |
| 4. Matthew Forstadt, Esquire | 16. Karissa D Neff, Esquire |
| 5. Christy Lyn M. Galiher, Esquire | 17. Erven Nelson, Esquire |
| 6. David M. Gardner, Esquire | 18. Michael Royal, Esquire |
| 7. Jacob Hafter, Esquire | 19. Lawrence Semenza, Esquire |
| 8. Brigid Higgins, Esquire | 20. Jesse H Smith, Esquire |
| 9. John Hunt, Esquire | 21. Kevin S Smith, Esquire |
| 10. John Kelleher, Esquire | 22. Bert Wuester, Esquire |
| 11. Keith E. Kizer, Esquire | 23. Marla Zlotek, Esquire |
| 12. Leland E. Lufty, Esq | |

Dr. Pisani asked that each committee member state their top 3 to 4 choices of candidates.

Dr. Blasco selected to move forward with applicant (1) Melanie Bernstein Chapman, (9) John Hunt, (10) John Kelleher, and (22) Bert Wuester.

Ms. Tyler added that in addition to Dr. Blasco's choices, that she would like to add applicants (13) Gary Mathews, and (15) Andy Moore.

Dr. Pisani stated that his candidates were noted among those selected by Dr. Blasco and Ms. Tyler.

MOTION: Dr. Blasco made the motion to move forward with candidates (1), (9), (10), (13), (15) and (22) for possible consideration by the board for interviews. Motion seconded by Ms. Tyler. All were in favor of the motion.

4. Public Comment: (Public Comment is limited to three (3) minutes for each individual) No public comment.

Note: No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

5. Announcements: Mrs. Shaffer-Kugel announced that the applicants that will not be moving forward will be receiving letters, and that those selected will be contacted to schedule interviews.

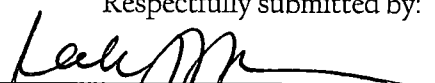
*6. Adjournment (For Possible Action)

Dr. Pisani called to adjourn the meeting.

MOTION: Dr. Blasco made the motion to adjourn. Motion was seconded by Ms. Tyler. All were in favor of the motion.

Meeting Adjourned at 9:48 p.m.

Respectfully submitted by:


Debra Shaffer-Kugel, Executive Director